

Environmental Commitments - Local Agency Projects

M., District Engineer
..... Department of Transportation
District Nine, State Transportation Building
.....
.....

Dear M.:
Subject: Environmental Commitments - Local Agency Projects
2001 ((STA))/FHWA Joint Review Guidelines for Upcoming District Visit

Enclosed are the guidelines that the 2001 Environmental Commitments - Local Agency Projects review team will be using during our District visits over the next several months. We look forward to the opportunity to visit with you and your District 9 staff, as well as Local Agency representatives and others within the District 9 area. In coordination with the District Local Roads Engineer, we have scheduled the days of July 17, 18 and 19 for the District visit. We would like to provide you with a brief overview on the first day of the visit. We will coordinate the exact meeting location(s) and times with the District Local Roads Engineer.

Following our visit to your District, the review team will prepare a District summary report. We will provide you with a draft of the report and incorporate your feedback into the final version. The review team will also be visiting Districts 2, 3, and 7 this year. The goal of the review team is to complete our District reviews this summer and produce a final report for Statewide Closeout by November 2001.

If you have any questions or comments regarding this review, please contact or

Sincerely yours,

Sincerely yours,

....., FHWA
Review Co-Coordinator

....., DOT
Review Co-Coordinator

Enclosure

2001 Joint FHWA/STA Review Environmental Commitments - Local Agency Projects

Purpose:

The purpose of this Federal Highway Administration (FHWA) / Department of Transportation (STA) joint process review is to determine if environmental commitments are properly advanced through project development, incorporated into the construction of the project, and adhered to during operations/maintenance. The review will focus on local agency projects, with a cursory review of the procedures used for State administered projects. The team will examine how local agencies and STA ensure that environmental commitments identified during Phase I or Phase II development are implemented. The review will also include items identified as needing follow-up in the recommendations from the 1997 Joint FHWA/STA Review on contract commitments.

The review will consist of an evaluation of present activities and procedures concerning implementation of environmental commitments. During the District reviews, discussions with personnel responsible for the documentation and implementation of environmental commitments will be conducted. District visits will include an in-office overview of the joint process review, discussions and interviews, a Plan-In-Hand review of projects currently under construction (near completion - 80% or more complete) or in Phase IV (maintenance), and a closeout meeting.

The joint review team will review two projects in each District visited. One project will be under construction (80% or more complete), and the other project will be recently completed and in the operations phase. Projects selected for review will preferably be those with an ECAD or higher level of environmental documentation.

The review will include STA Districts 2, 3, 7, and 9.

Review Team Members:

Interviews and Reviews:

Interviews and reviews will be conducted with the following District & Local Agency personnel:

- District Engineer
- Local Roads Engineer
- Environmental Coordinator
- Project Engineers
- Field, Resident, and Construction Engineers
- Local Agency Staff

The team anticipates that the District Local Roads Engineer will be the team's point of contact for coordinating the District review. A set of guidelines and questions to be discussed with the District is attached.

Guidelines & Questions for District Personnel

Review Procedures:

The review is separated into two parts as follows:

I. Project Development (Phases I and II):

A. District & Local Agency Interviews:

1. Interviews with District supervisors & local agency representatives and review of written procedures to determine how the Districts advance commitments.
2. Conduct interviews with District Local Roads and Construction personnel (with participation of other Bureaus as appropriate) to determine the actual procedures used to advance the commitments through the project development phase.

B. Review of the following project files to determine commitments made during project development.

1. Environmental Document and Environmental Technical Reports (Phase I) - environmental commitments
2. Design Report and Phase I Engineering Technical Reports
3. Local agency/State agreements and utility agreements (Phases I & II) - municipal and utility commitments
4. Land acquisition negotiation and project files - right of way commitments
5. Project commitment files (if available) - to ascertain the advancement of all commitments

II. Evaluation of Commitment Implementation and Maintenance (Phases III and IV):

- A. Review of Plans, Special Provisions and project files to determine the commitments that were properly advanced to construction.
- B. Interview with Construction and Local Agency staff to determine the actual procedures used to track and implement commitments through project implementation and maintenance.
- C. Project field visits/reviews to observe project commitments.

Timetable:

The district and statewide closeouts will be completed by November of 2001.

Questions:

1. What is your commitment process?
2. Who is responsible for insuring that the overall commitment process is satisfactorily accomplished?
3. What is your definition of a commitment?
4. Who negotiates commitments? Give examples of commonly made commitments.
5. What procedures are used to insure that commitments are disseminated appropriately?
6. Are commitments addressed in Coordination meetings and the Pre-construction meeting?
7. Are minutes of meetings/briefings (i.e., Coordination meetings, Pre-construction meetings) made and distributed to the appropriate personnel?
8. Do you maintain a commitment file, and what information is contained therein?
9. Do you include environmental commitments in your environmental document?
10. How is the monitoring of contract commitments recorded?
11. Is a final (ie. Post-construction) review of commitments requested? Who requests the review? Who participates in such reviews, and how are they documented?
12. How does Maintenance receive commitments that become their responsibility after construction is completed?
13. Is there a process for ensuring that commitments are properly completed and successfully maintained (i.e., long-term monitoring - wetlands restored are surviving)?
14. What actions would you take if a contractor is not adhering to a 404 permit or a long term wetland commitment is not being properly maintained (i.e., tree planting)?
15. Are you ever challenged with implementing commitments that are vague or impossible?
16. Is the commitment process working satisfactorily?
17. Do you have any suggestions for improving the commitment process?